ARTICLE 2 DEFINITIONS

DIVISION 1 GENERAL

Section 2.100___ Definition of Words and Phrases

A. For the purposes of this Land Use Code, the following words and phrases are defined as follows:

Abatement. To remove the rubbish, junk, weeds and brush, or unsafe structure as prescribed in the notice of violation.

Accessory Agricultural Retail Sales. A location for the retail sale or wholesale of agricultural or horticultural products which are grown on site.

Accessory Dwelling. A dwelling unit for use as a complete independent living facility on the same parcel as a permitted principal use. Accessory dwellings do not include dwellings which this Code specifically designates as being part of an allowed principal use and therefore allowed as a use by right.

Accessory Outside Storage. The outside placement, for a period of more than twenty-four 24 hours, of items which are customary and incidental to the principal use of the property.

Accessory Structure. A subordinate structure located on the same lot as the principal structure, the use of which is incidental and accessory to the principal use. Unless otherwise specified in this Code, any accessory structure is subject to the minimum requirements of the zoning district in which it is located.

Accessory Use. An Accessory Use must be a use customarily incidental to and on the same parcel as the principal use. Except as provided in this Code, an Accessory Use must comply with all regulations applicable to the principal use.

Acequia. An irrigation ditch or canal.

Administrative Zoning Review. The Land Use Permit application and review process described in Article 3, Section 3.300 of this Code. Uses subject to Administrative Zoning Review have little or no impact and are permitted through review and action by the Administrator.

Administrator. The Land Use Administrator of Costilla County.

Agriculture. The use of land for farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture, and animal and poultry husbandry and the necessary accessory uses for packing, treating, or storing the produce; provided however, that the operation of any such Accessory Uses shall be secondary to that of normal agricultural activities and provided further

that these uses shall not include uses that are Concentrated, Confined Animal Feeding Operations.

Agricultural Products Processing and Storage. The processing and storage of agricultural products brought to the site, including but not limited to cleaning, sorting, grading, packaging milling, or storing of products which are intended for direct human or animal consumption or use.

Agricultural Products Retail Outlet. A location for the retail sale of agricultural products, a majority of which are not grown on site, and are intended for direct human or animal consumption or use.

Alteration (**Structural**). A change or rearrangement in the structural parts or in the existing facilities of a building or structure, or an enlargement whether by extending on a side or increasing in height, or the moving from one location or position to another.

Animal Unit. A unit of measure to determine a comparable number of animals. For purposes of these regulations, an animal unit shall mean one animal, or one female animal and its offspring until weaned.

Appeal. The process set forth in Article 3 by which:

- 1. A party aggrieved by an interpretation of the Administrator may request Board of Adjustment review of the interpretation (Section 3.610).
- 2. A party aggrieved by an Administrative Zoning Review permit decision by the Administrator may request review of the permit decision by the Board of County Commissioners (Section 3.310).
- 3. A party aggrieved by a Limited Review Use permit decision by the Planning Commission may request review of the permit decision by the Board (Section 3.410).

Applicant. The owner or duly designated representative of land for which a Land Use Permit has been requested.

Archeological Resource, Cultural Resource, or Historical Resource. Those resources that have been designated by the County or are recognized or historically known to the County; that are on the National Register of Historic Places (National Register); and/or that may be considered under the National Historic Preservation Act. A site may also be so identified by the Colorado State Historic Preservation Officer.

Bed and Breakfast. An owner-occupied dwelling unit offering transient lodging accommodations where meals may be provided.

Board of Adjustment. The Board of Adjustment of Costilla County.

Board or Board of County Commissioners. The Board of County Commissioners of Costilla County.

Boarding House. A building or portion thereof which is used to accommodate, for compensation, three or more boarders or roomers, not including members of the occupant's immediate family who might be occupying such a building.

Building. Any structure designed or intended for the support, enclosure, shelter, or protection of persons, animals, chattels, or property.

Building Contracting Shop. A facility providing for general building repair, service, and maintenance including installation of plumbing, roofing, signs, electrical, air conditioning, and heating.

Campground. A land parcel in single ownership that has been developed for occupancy by tents and recreational vehicles on a temporary basis for recreational purposes.

Car Wash. An area of land and/or a structure with machine- or hand-operated facilities used principally for the cleaning, washing, polishing, or waxing of motor vehicles. A facility of this type may be able to accommodate more than one vehicle at the same time.

Central Office Building of a Telecommunication Company. An above ground structure which is in excess of eight feet in height that shelters telecommunications facilities required as an operating unit, including but not limited to the switch or other facilities used to establish connections between customer lines or between lines and trunk or toll lines to other central offices.

Church. A facility principally used for people to gather together for public worship, religious training, or other religious activities. Facility does not include overnight accommodations.

Cluster, Cluster Development. The concentration of development, including buildings, driveways, and water supply and wastewater treatment facilities on one or more compact areas of a development parcel, preserving the remainder as productive agricultural land or undeveloped open space, and avoiding impacting areas of identified value for wildlife habitat, scenic features of a rural landscape, historical agricultural uses, and significant environmental features. Clustering allows flexibility in layout and protection of identified valuable characteristics of a development parcel.

Commercial Nursery. A use, wholly or partially contained within one or more greenhouses, where trees, shrubs, flowers or vegetable plants are grown and sold either wholesale or retail.

Commercial Use or Activity. Any use or activity primarily devoted to business purposes such as the purchase, sale, lease or exchange of goods and/or the provision of services.

Commission. The Costilla County Planning Commission

Compatible. Consistent with, harmonious with, similar and complementary to the use and/or function of natural systems and/or existing land uses in an area.

Comprehensive Plan. A plan, or any portion thereof, adopted by the Costilla County Board of County Commissioners establishing the goals, objectives and policies of the County.

Concentrated, Confined Animal Feeding Operations. Any animal feeding operation where animals are fed at the place of confinement for forty-five (45) days or longer in any twelve (12) month period, and crop or forage growth in production is not sustained in the area of confinement, and the number of animals exceeds 999.

Convenience Store. Any retail establishment selling consumer products including primarily prepackaged food and household items, having a gross floor area of less than 5,000 square feet. A convenience store may also have associated retail sale of gasoline and other petroleum products.

County. The County of Costilla, State of Colorado.

Day Care Center. A facility which provides less than 24-hour care or supervision for nine or more persons who are not related by blood, marriage, or adoption to the owner, operator, or manager, whether such facility operates at day or night, with or without compensation for such care, and with or without stated educational purpose.

Density. A unit of measurement; the number of dwelling units per acre of land.

Development. Any activity or construction, excluding normal agricultural activities, that changes the basic character or use of the land.

Dwelling Unit. One or more rooms designed to accommodate one family and containing only one kitchen plus living, sanitary and sleeping facilities.

Educational Facility. Buildings and uses for educational or research activities associated with an academic institution which has curriculum for technical or vocational training, kindergarten, elementary, secondary, or higher education, including residential facilities for faculty, staff, and students.

Emergency Care Facility. A health care facility, providing primarily outpatient emergency care for the diagnosis and treatment of individuals.

Equestrian Center. An establishment where fifteen (15) or more different people per month, other than the owner or manager of the property, are, for a fee, trained or instructed in riding, driving, or showing horses.

Excavation of more than 100 Cubic Yards. Movement of more than 100 cubic yards of material, with the following exceptions:

- 1. Normal excavation or grading activity associated with agriculture, allowed mining activity, or foundation construction.
- 2. Normal excavation or grading activity associated with trail or road construction by a governmental entity on publicly acquired open space land in accordance with an open space management plan approved by the Board of County Commissioners.

FAA (**Federal Aviation Administration**). The federal agency responsible for aircraft safety.

Flood or Flooding. A general and temporary condition of partial or complete inundation of normally dry land areas from either the overflow of watercourses, or the unusual and rapid accumulation or runoff of surface waters from any source.

Flood Plain. An area adjacent to the stream, which is subject to flooding as the result of the occurrence of an intermediate regional flood and which is so adverse to past, current, or foreseeable construction or land use as to constitute a significant hazard to public health and safety or to property. The term includes but is not limited to:

- 1. Mainstream floodplains;
- 2. Debris-fan floodplains; and
- 3. Dry wash channels and dry wash floodplains.

Floodproofing. Any combination of provisions, changes, or adjustments to structures, moveable objects, or properties for the purpose of the reduction or elimination of the potential for flood damage from the base flood.

Floodway. Those portions of the Floodplain Overlay required for the passage or conveyance of the base flood in which waters will flow at significant depths or with significant velocities. It includes the channel of a river or creek and any adjacent floodplain areas that must be kept free of development and other encroachments so the base flood can be conveyed without substantial increase in flood height. Specifically, the floodway is defined according to the following criteria:

- 1. Those portions of the Floodplain Overlay that must be kept free of development and other encroachments so the base flood is conveyed with no more than a one foot increase in the water surface elevations.
- 2. Where the floodway has not been so identified, it is those portions of the Floodplain Overlay where floodwater from the base flood is eighteen (18) inches or greater in depth.

3. The floodway shall not extend less than twenty-five (25) feet from the banks of the river or creek, unless such bank consists of an impervious natural rock wall or cliff which is higher than the flood elevation.

Forest Management Plan. An agreement which includes a plan to aid the owner of forest land in increasing the health, vigor, and beauty of forest land through use of forest management practices; which has either been executed between the owner of forest land and the Colorado State Forest Service, or executed between the owner of forest land and a professional forester and has been reviewed and has received a favorable recommendation from the Colorado State Forest Service; and which has been determined to be complied with through the required annual reports from the State Forest Service to the County Assessor pursuant to Section 39-1-102(4.4), C.R.S, as amended.

Forestry. Cultivating and maintaining forests and managing forest land, including the selling of firewood produced on the parcel.

Geologic Hazard. A geologic phenomenon which is so adverse to past, current, or foreseeable construction or land use as to constitute a significant hazard to public health and safety or to property. The term includes but is not limited to:

- 1. Avalanches, landslides, rock falls, mudflows, and unstable or potentially unstable slopes;
- 2. Seismic effects:
- 3. Radioactivity; and
- 4. Ground subsidence.

Geologic Hazard Area. An area that contains or is directly affected by a geologic hazard.

Hazard. A significant source of risk, danger or peril resulting from natural phenomena or conditions including those precipitated or caused by activities of man.

Height of Building. The vertical distance from the "grade" to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the average heights of the highest gable of a pitch or hip roof.

Historical. See "Archeological Resource, Cultural Resource, or Historical Resource."

Home Occupation. An occupation carried on within a dwelling or accessory building by members of the family occupying the dwelling with no servant, employee or other person being engaged, provided the residential character of the building is maintained and the occupation is conducted in such a manner as not to give an outward appearance nor manifest any characteristic

of a business in the ordinary meaning of the term nor infringe upon the right of neighboring residents to enjoy the peaceful occupancy of their homes.

Hospital. An institution where people are given medical attention and treatment, including related facilities such as laboratories, outpatient clinics, and staff offices.

Impact. The direct or indirect effect or consequence resulting from a development upon land, the environment, the community or any part or segment thereof. The term shall include, but not be limited to, physical, environmental, economic, visual, auditory or social consequences or effects.

Improvements. Street grading and surfacing, curbs and gutters, sidewalks, crosswalks, water mains, sanitary and storm sewers, culverts, bridges, general landscaping, electrical transmission facilities, natural gas or telephone lines, or such other installations as may be designated by the Board.

Industrial. Any manufacturing operation or industrial use.

Industrial Use or Activity. Manufacturing, fabrication storage, processing and shipping facilities; mineral extraction and production or processing; auto body repair and maintenance shops; truck stops; facilities of public utilities; solid and hazardous waste disposal sites; airports and similar activities or uses commonly known as industrial in nature.

Intensive Agricultural Uses. Agricultural uses where the principal nonresidential use of the property is contained within one or more structures, including but not limited to agricultural storage facilities, accessory greenhouses and storage for accessory sales of agricultural or horticultural products.

ISDS System. An individual sewage disposal system as defined by the State of Colorado and the County ISDS regulations.

Junk. Any manufactured good, appliance, fixture, furniture, machinery and machinery parts, motor vehicle, motor vehicle parts and used tires, trailer, or mobile home that is abandoned, unlicensed, inoperable, discarded, demolished or dismantled or that is so worn, deteriorated or in such condition as to be unusable or that is not safe or fit for human habitation in the existing state.

Kennel. A lot or building in which four or more dogs or cats, at least four months of age, are kept commercially for board, propagation, or sale.

Land Use Permit or LUP. A permit issued by the County required for any land use activity subject to these Regulations.

Limited Impact Open Mining. The extraction of earth materials by mining directly from the exposed deposits or other materials where mining operations affect less than ten acres of land within a parcel and extract less than 70,000 tons of earth materials, and which 1) proposes to

export material in excess of 500 cubic yards off the parcel on which the mining occurs, 2) has operations that exceed five consecutive days or 14 days total, and/or 3) utilizes blasting. Exceptions to this use include: the removal of decorative building materials naturally exposed at the surface of the earth; the extraction of sandstone where such extraction does not exceed a total of 3600 tons in any 12 month period; excavations below finished grade for basements and footings of a building, retaining wall or other structures authorized by a valid building permit, or authorized by a grading permit. The term limited impact open mining includes, but is not limited to, such processes as open cut mining, open pit mining, strip mining, quarrying and dredging. This use shall also be granted and maintain all applicable local, state, and federal permits.

Limited Impact Use. A shortened Land Use Permit application and review process, set forth in Article 3, Section 3.400 and Section 3.410, by which the Planning Commission approves permits for uses being allowed on the basis of their limited impact with regard to compatibility with the site and surrounding land and uses, and the adequacy of required services.

Livestock. Domestic animals that are used for food for human or animal consumption, breading, draft or profit.

Lot. A parcel, plot or tract of land which is the subject of a Land Use Permit application, land use activity proposal, or which is occupied by a structure, together with the yards and other open spaces required by these regulations.

Major Facility of a Public Utility. Any electric transmission lines, power plants, or substations of electric utilities; major gas regulator stations, transmission and gathering pipelines, and storage areas of utilities providing natural gas or petroleum derivatives; and their appurtenant facilities.

Major Electrical or Natural Gas Facilities. Major electrical or natural gas facilities include one or more of the following:

- 1. Electrical generating facilities.
- 2. Substations used for switching, regulating, transforming, or otherwise modifying the characteristics of electricity.
- 3. Transmission lines operated at a nominal voltage of sixty-nine thousand volts or above.
- 4. Structures and equipment associated with such electrical generating facilities, substations, or transmission lines.
- 5. Structures and equipment utilized for the local distribution of natural gas service including, but not limited to, compressors, gas mains, and gas laterals.

Manufactured Home. A detached single family dwelling that:

- 1. Is partially or entirely manufactured in a factory; and
- 2. Is not less than 24 feet in width and 36 feet in length; and
- 3. Is installed on an engineered permanent foundation; and
- 4. Has brick, wood, or cosmetically equivalent exterior siding and a pitched roof, and,
- 5. Is certified pursuant to the "National Manufactured Standards Act of 1974," 42 U.S.C. 5401 *et seq.* as amended.

Mineral Resource (Other than Natural Gas or Oil). An inanimate constituent of the earth in a solid, liquid, or gaseous state which, when extracted from the earth, is usable in its natural form or is capable of conversion into a usable form as a metal, a metallic compound, a chemical, an energy source, or a raw material for manufacturing or construction material. For the purpose of this resolution, this definition does not include water, geothermal resources, or natural gas or oil.

Mine, Mining. Any area of land from which minerals are extracted in nonliquid form or are extracted in a liquid form while workers are underground; private ways and roads appurtenant to such area; and lands, excavations, underground passageways, shafts, slopes, tunnels and workings, structures, facilities, equipment, machines, tools, or other property, including impoundments, retention dams, and tailing ponds, on the surface or underground, used in, or to be used in, or resulting from the work of extracting such minerals from their natural deposits in nonliquid form or, if in liquid form, used by workers underground or used or to be used in the milling of such minerals or the work of preparing coal or other minerals. "Mine" does not include earthen dams, sand and gravel pits, clay pits, or rock and stone quarries, including surface limestone and dolomite quarries.

Mobile Home. A transportable single-family dwelling unit which is eight body feet or more in width and is thirty-two body feet or more in length, and which is built on a permanent chassis and designed to be used as a dwelling without permanent foundation when connected to required utilities, and which includes the plumbing, heating, air-conditioning, and electrical systems contained therein.

Mobile Home Lot. A plot of ground within a mobile home park legally established under this Code, designed for the accommodation of one mobile home to be installed for the purpose of single-family dwelling in compliance with the provisions of this Code.

Mobile Home Park. Any site or tract of land under single ownership upon which two or more mobile homes, occupied or intended to be occupied for single-family dwelling purposes, are located in compliance with the provisions of this Code. A mobile home park does not include the use of land for the display and sale of mobile homes or for seasonal recreational use.

Machine Shop. A facility where material is processed or treated by machining, cutting, grinding, welding, or similar processes.

Natural Hazards. Mudslides, subsidence areas, floodplains, seismic faults, rockslides, erosion and other naturally occurring phenomena that can pose hazards to life or property.

Nonconforming Use. A building, structure, or use of land existing at the time of enactment of this resolution and which does not conform to the regulations of the district or zone in which it is situated.

Nursing, Convalescent, or Residential Care Facility. A facility which provides 24-hour residential care to persons who are not related by blood, marriage, or adoption to the owner, operator, or manager of the facility, and who do not meet the definition of family under this Code. A Nursing, Convalescent, or Residential Care Facility provides some level of skilled nursing or medical service to the residents.

Open Agricultural Uses. Agricultural uses which do not have structures, other than accessory structures, associated with their operation, including but not limited to the grazing, keeping and use of livestock, the production of agricultural or horticultural products, and accessory storage.

Open Mining. The extraction of earth materials by mining directly from the exposed deposits or other materials. Exceptions to this use include those operations which fit the definition of limited impact open mining and excavations below finished grade for basements and footings of a building, retaining wall or other structures authorized by a valid building permit. The term open mining includes, but is not limited to, such processes as open cut mining, open pit mining, strip mining, quarrying and dredging.

Outside Storage. The outside placement of items, including but not limited to vehicles that are inoperable, and mobile homes not connected to utilities not on a permanent foundation, for a period of more than twenty-four hours.

Overnight Lodging. A facility offering transient lodging accommodations on a daily basis to the general public, and in which no provision is made for cooking in any individual room or suite. The Overnight Lodging facility may also include incidental business uses commonly associated with the main lodging use.

Professional Office. An office for professions including but not limited to government, physicians, dentists, lawyers, realtors, architects, engineers, artists, musicians, designers, teachers, accountants, and others, who, through training are qualified to perform services of a professional nature, and where no storage or sale of merchandise exists. This use includes medical and dental clinics.

Parcel. See Lot.

Pipeline. Any conduit or pipe and appurtenant facilities especially designed for, or capable of, transporting water, or gas or other petroleum derivatives.

Principal Use. The primary purpose or function for which a parcel or structure is used.

Public Hearing. A meeting called by a public body, for which public notice has been given in compliance with the provisions of this Code and which is held in a place where the general public may attend, with the principal purpose of receiving testimony or public comment on a specific application or issue.

Public Meeting. Any meeting open to the public that meets the requirements of C.R.S. 24-6-401, *et seq*.

Ranch. A parcel of land which is used for grazing livestock for the primary purpose of obtaining a monetary profit.

Recreational Vehicle (RV). A transportable structure or self-propelled vehicle with or without flexible, removal, or collapsible walls and partitions, designed to be used as a temporary dwelling for travel, recreation or vacation uses. The term "recreational vehicle" shall include motor home, camper bus and travel trailer, but shall not include pickup trucks with camper shells that extend one foot or less above the cab of the truck.

Recycling Collection Center. A center for the acceptance and temporary storage of either recyclable or organic materials to be transferred to a processing or composting facility.

Recycling Processing Facility. A facility where recyclable and organic materials are collected and processed. Processing includes but is not limited to baling, briquetting, compacting, flattening, crushing, mechanical sorting, shredding, and cleaning.

Repeater, Low Power Mobile Radio Service Telecommunications Facility. A telecommunications facility that extends coverage of a cell to areas not covered by the originating cell.

Resort Lodge, Conference Center, or Guest Ranch. A facility, including either a single building or resort cabins, which serves as a destination point for visitors, and generally has accessory recreational facilities for the use of guests.

Restaurant. A commercial establishment designed primarily to serve food to customers to be eaten within the interior of the premises and which has interior seating arrangements.

Retail or Personal Service Facility. An establishment for the retail sale of merchandise or the provision of personal services, including drive through service. A retail facility includes but is not limited to antique or art shops, clothing. department, drug, dry good, florist, furniture, gift, grocery, hardware, hobby, office supply, package liquor, paint, pet, shoe, sporting, or toy stores. A personal service facility includes but is not limited to barber or beauty shop, dry cleaners, optometrist shop, photographic studio, or travel bureau.

Riparian/Riparian Areas. Related to, living or located on the bank of a natural watercourse or lake. Riparian areas include groups of plants, animals and aquatic communities whose presence is either directly or indirectly attributed to water-influenced or water-related factors. Areas

exempt from this definition are manmade agricultural structures and devices including irrigation ditches, sprinklers and artificial ponds.

Road. See Street.

Rubbish. Garbage and trash, including but not limited to: unwanted or discarded household items; waste from building construction, remodeling and repair including used lumber and building materials; tree branches, grass and shrub clippings, leaves or other general yard and garden waste; newspapers, magazines, packaging materials, waste paper or cardboard, boxes and crates, rags; dead animal carcasses; and any other unsightly or discarded material including scrap metal, scrap material, bottles and tin cans, which causes or is likely to cause a public hazard or nuisance, or is unacceptably offensive in light of community standards of cleanliness or generally accepted neighborhood aesthetics.

Rural. The character of an area that is primarily agricultural, low-density residential, unimproved and open.

Saw Mill. A facility for the storage, sales, and milling of forest products, not including the cutting of firewood.

Significantly Degrade. To lower in grade or desirability to a significant, as opposed to a trifling, degree.

Single Family Dwelling. A detached building which is occupied or which is arranged, designed, and intended to be occupied, by one family and containing only one kitchen plus living, sanitary and sleeping facilities, but not including hotels, motels, tents, seasonal vacation cabins, camper trailers, or other structures designed or used primarily for temporary occupancy. A single-family dwelling shall also include a mobile home as defined herein, that is installed and has received permits in accordance with the provisions of this Code, and a manufactured home as defined herein, erected in conformance with manufacturer's guidelines and state and local regulations. A single-family dwelling must have indoor plumbing and be serviced by adequate water, sewer and public utility systems.

Solid Waste Disposal Site and Facility. The location and facility at which the collection, storage, treatment, utilization, processing, or final disposal of solid wastes occur.

Solid Waste Transfer Facility. A facility at which wastes, awaiting transportation to a disposal site and facility, are transferred from one collection vehicle to another.

Special Districts. Quasi-municipal corporations established under state statute to provide public facilities or services.

Special Review. The Land Use Permit application and review process, set forth in Section 3.400 and Section 3.420, by which the Planning Commission reviews and the Board approves permits for uses which may have an impact upon the site, surrounding land and uses, the environment,

and public services and infrastructure, and which may require mitigation measures to comply with the criteria for permit approval under these regulations.

Street. A county road, state highway, public road, street or alley, or private thoroughfare which affords primary access to abutting property.

Structural Alterations. Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders; any substantial change in the roof or in the exterior walls, excepting from this definition such alterations as may be required for the safety of the building.

Structure. Anything constructed or erected which requires location on the ground or attachment of something having a location on the ground. "Structure" shall include immobilized mobile homes and swimming pools.

Telecommunications Facilities. Includes but is not limited to facilities associated with the following types of telecommunications: cellular telecommunications, low power mobile radio service telecommunications facility.

Unsafe Structure. A structure or building which, in the determination of the Administrator is:

- 1. In a condition presenting a substantial danger or hazard to public health, safety, or welfare.
- 2. Is a dilapidated building which is unused by the owner or uninhabited because of deterioration or decay, and constitutes a fire hazard or subjects adjoining properties to a danger of damage by storm, soil erosion, or rodent infestation, or is a place frequented by trespassers and transients seeking a temporary shelter or hideout.

Use. The purpose for which any land, structure or building is designed, maintained or occupied.

Variance. Deviation from the requirements of this Code as approved in Article 3, Section 3.600 by the Board of Adjustment.

Vacate or Vacation. The procedure set forth in Article 3 Division 7 by which the County may legally void or vacate dedicated roadways, rights-of way and easements determined to be no longer necessary for public purposes.

Vehicle Service Center. A facility for the retail sale of gasoline and other petroleum products and/or where light maintenance activities such as engine tune-ups, lubrication, minor repairs, and carburetor cleaning are conducted.

Water and Sewage Treatment Facility. Any sewage treatment plant, sewage treatment works, sewage disposal facilities, pumping and ventilating plants or stations, compensating reservoirs or other plants, structures, facilities, equipment and appurtenances useful or convenient for the

interception, transportation, treatment, purification or disposal of sewage, liquid wastes, solid wastes, or industrial wastes.

Weeds and Brush. Any underbrush, brush, shrub or plant material greater than twelve (12) inches in height which:

- 1. Ordinarily grows without cultivation; not in planting beds or otherwise in a controlled manner; or not for the purpose of food production; and
- 2. Is allowed to grow in such a manner or extent that it causes or is likely to cause a public hazard or nuisance, or is unacceptably offensive in light of community standards of cleanliness or generally accepted neighborhood aesthetics; and
- 3. Is not an undesirable plant designated under the County's Noxious Weed Management Plan, pursuant to the "Colorado Noxious Weed Act" the removal of which shall be governed by that Plan and not this Article.

Yard. The space on the same lot as a building or structure that is unoccupied and open to the sky.